



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit -- 2165
Examiner -- N. Abel-Jalil

August 29, 2006

In re Application of Thomas N. Turba et al.
Title: Step to Access Native Script in a Legacy
Database Management System Using
XML Message (Amended)
Serial No.: 10/028,253

Filed: 12/21/01
Allowed: 7/14/06
File No.: RA 5407 (33012/325/101)
Customer # 27516

Mail Stop ISSUE FEE
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

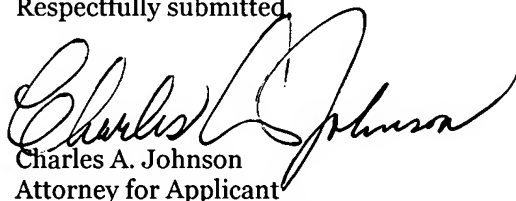
SUBJECT: ISSUE FEE FOR RA 5407 (33012/325/101)

Dear Sir:

Please charge Deposit Account No. 19-3790 in the sum of \$1,400.00 to cover payment of the Issue Fee and also the sum of \$3.00 to cover the cost of the 1 extra copy of the patent which was allowed on July 14, 2006.

Also enclosed are the Comments of the Statement of Reasons for Allowance and "Fee Address" Indication Form.

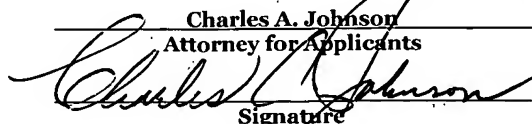
Respectfully submitted,



Charles A. Johnson
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CAJ/eav

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to: MS Issue Fee, Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450 on August 29, 2006.

Charles A. Johnson
Attorney for Applicants

Signature
August 29, 2006
Date of Signature

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

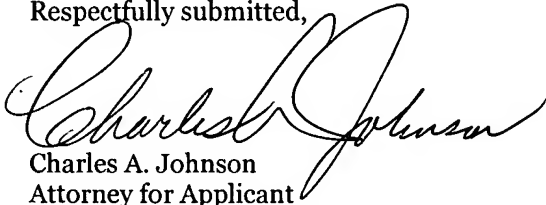
Mail Stop Issue Fee
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Examiner's statement of Reasons for Allowance implies that the claimed invention was allowed because the prior art did not disclose specific elements. The elements characterized by the Examiner, however, even if found in the prior art, would not render the claimed invention invalid under 35 USC §102 because the claimed invention includes a number of limitations not addressed in the Reasons for Allowance. With respect to 35 USC §103, the requirements of establishing a *prima facie* case of obviousness including (1) a showing that the prior art teaches the entire claimed invention where all limitations are to be considered, and (2) that combining various prior art references is (a) suggested in the art and (b) there would be motivation to make the combination, with a likelihood of success, have not been satisfied.

Unless otherwise advised, these comments are intended, to be clarifying in a manner consistent with the law.

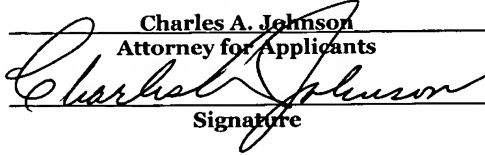
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